EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

> MAR 1993 1

Docket-Fule Rm: 222 **POLICY & PLANNING** BRANCH ROOM 5202

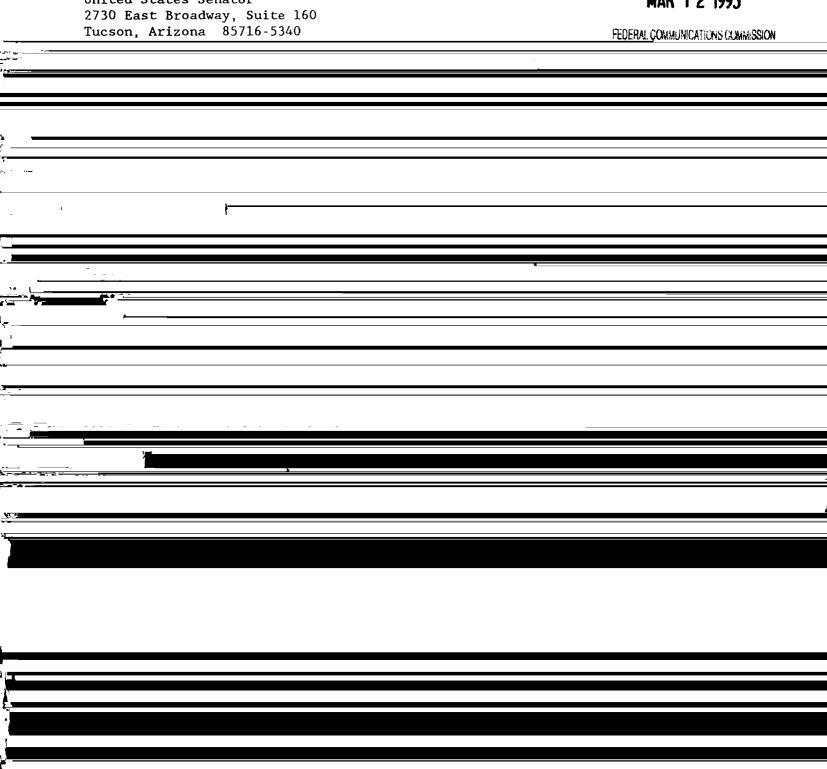
> IN REPLY REFER TO: 7330-7/1700A3

DOCKET FILE COPY ORIGINAL

Honorable Dennis DeConcini United States Senator

RECEIVED

MAR 1 2 1993



We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the <u>Notice</u> are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely

Ralph A. Haller

Chief, Private Radio Bureau

Enclosures: Notice Order Discussion paper

CNTL NO - 9300643

cc:

٠.

Chief, PRBureau Chief, LM&MDivison Docket Files, Room 222 P&P Branch File (Pink)

DFertig/RShiben:/qb/lm:PR

Congressional

DUE OBC: 3-25-83

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS, AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/17/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE DATE D	UE OLA(857)
9300643	02/17/93	02/09/93	03/02/93	
TITLE	MEMBERS	NAME	REPLY FOR SIG OF	
Senator	Dennis De	Concini	ВС	
CONSTITUENT'S NAME SUBJECT				
Louis P Cra	ne inq.	comments on PR D	ocket 92-235	
REF TO PRE/LAM S-18-93	REF TO	REF TO	REF TO	
DATE	DATE	DATE	DATE	
02/17/93				

REMARKS: Respond to the Tucson, AZ office.

JOSEPH R. BIDEN, JR., DELAWARE, CHAIRMAN

HOWARD M. METZENBAUM, OHIO DENNIS DECONCINI, ARIZONA PATRICK J. LEAHY, VERMONT HOWELL HEFLIN, ALABAMA PAUL SIMON, ILLINOIS HERBERT KOHL, WISCONSIN

EDWARD M. KENNEDY, MASSACHUSETTS STROM THURMOND, SOUTH CAROLINA ORRIN G. HATCH, UTAH ALAN K. SIMPSON, WYOMING CHARLES E. GRASSLEY, IOWA ARLEN SPECTER PENNSYLVANIA GORDON J. HUMPHREY, NEW HAMPSHIRE

> RONALD A. KLAIN, CHIEF COUNSEL DIANA HUFFMAN, STAFF DIRECTOR
> JEFFREY J. PECK, GENERAL COUNSEL
> TERRY L. WOOTEN, MINORITY CHIEF COUNSEL
> AND STAFF DIRECTOR

United States Senate

COMMITTEE ON THE JUDICIARY WASHINGTON, DC 20510-6275

92735

February 9, 1993

Ms. Lorrie Secrest Director for Public Affairs Federal Communications Commission 1919 M Street Washington, D.C. 20554

Dear Ms. Secrest:

Enclosed is a copy of the privacy release letter Senator Dennis DeConcini received from Mr. Louis P. Crane requesting that we inquire on his behalf regarding the recent FCC proposal of P.R. Docket 92-235.

After you have had the opportunity to review the matter, I would appreciate your making any suggestions and/or recommendations on how we may assist Mr. Crane with his concern.

Thank you.

Sincerely,

IGNACIO J. BARRAZA

Assistant to the Senator Office of Dennis DeConcini

United States Senate

2730 East Broadway, Suite 160

Barrago

Tucson, Arizona 85716-5340

602/670-6831

Enclosure IB/D

CASE

Muse/Fec

The Honorable Dennis DeConcini 2424 E. Broadway, Suite 104 Tucson. AZ 85719-6011 February 2, 1993

Dear Senator DeConcini;

I urge you to consider the impact of pending FCC "Notice of Proposed Rule Making" (NPRM), Docket Nr 92-235, on a large sector of the public. FCC proposes adding frequency assignments which jeopardize the safety of a wholesome hobby, supported by a multi-million dollar US industry. FCC has recognized the strength of this hobby, radio controlled model flying, by dedicating 50 frequencies to the purpose. Long ago, such control was allowed on a shared basis in the 27 MHz Citizens Band. Subsequently, the number of citizens using radio for model control justified FCC's allocation of dedicated "channels" in the 72-76 MHz band. That allowed even greater growth in this area. These frequencies interleave, safely separated, with Land Mobile Service frequencies. The NPRM seriously impacts current frequency separations.

This creates a serious safety problem. The current separation of plus/minus 5 kHz, including guard band, crowds or exceeds the ability of practical model control and other user equipment. Model control equipment has been refined to the point that larger, heavier, faster models have become possible, if not universal. Interference to the control signals to even smaller radio controlled models destroys the flier's ability to operate them safely. Model fliers are very safety conscious; such interference is a chilling prospect.

The Academy of Model Aeronautics (AMA), the national organization for model fliers has helped develop safety awareness and specific programs for frequency control, including awareness of/allowance for nearby high power fixed location users in the same band. New frequencies, allowed up to four times as much power, very few (2 1/2!) KHz away, in mobile units whose location cannot be predicted would be a serious problem. Even modelers who are most attentive to safe practice would suffer loss of control through interference caused by someone, eg., in the field's spectator area, or passing on a nearby road.

The proposed new frequencies are separated from each other by twice the KHz as they are from the much less powerful model control assigned frequencies. Isn't it likely that manufacturers of these devices will design to not override other such devices — while model control frequencies between their "channels" are overlooked.

There are over 150,000 dues-paid members in AMA, alone, almost all of whom use several Rx/Tx systems regularly. Some estimate two to three times as many additional citizens are active in this hobby. It is likely that there are over a million such model control systems in regular use.

Please help me continue the safe enjoyment of a hobby that has enriched my life for over 35 years by opposing FCC NPRM Docket 92-235 in its present form.

2163 Sonoita Drive Sierra Vista, AZ 85635

Jamil Guarre Louis P. Crane